Senate File 321 - Introduced

SENATE FILE 321
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO SF 269)

(COMPANION TO LSB 1037HV BY COMMITTEE ON ENVIRONMENTAL PROTECTION)

A BILL FOR

- 1 An Act relating to wastewater discharges by on-farm processing
- 2 operations.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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- 1 Section 1. Section 455B.171, Code 2011, is amended by adding
- 2 the following new subsections:
- 3 NEW SUBSECTION. 7A. "Food commodity" means any commodity
- 4 that is derived from a live agricultural animal or harvested
- 5 crop, both as defined in section 717A.1, which is intended for
- 6 human consumption in its raw or processed state, and which
- 7 in its raw state includes but is not limited to milk, eggs,
- 8 vegetables, fruits, nuts, syrup, and honey.
- 9 NEW SUBSECTION. 14A. "On-farm processing operation" means
- 10 any place located on a farm where the form or condition of a
- ll food commodity originating from that farm or another farm is
- 12 changed or packaged for human consumption, including but not
- 13 limited to a dairy, creamery, winery, distillery, or cannery.
- 14 The change to the food commodity may include cleaning, cooling,
- 15 pasteurizing, purifying, or preserving the food commodity.
- 16 Sec. 2. <u>NEW SECTION</u>. **455B.172A** On-farm processing
- 17 operations.
- 18 1. The department shall adopt by rule standards for the
- 19 disposal of wastewater from an on-farm processing operation.
- 20 These standards shall provide for but are not limited to
- 21 disposal by all of the following:
- 22 a. By land application if all of the following apply:
- 23 (1) The volume of wastewater produced by the on-farm
- 24 processing operation is less than one thousand five hundred
- 25 gallons per day.
- 26 (2) The wastewater is land-applied by a person licensed by
- 27 the department under section 455B.172.
- 28 (3) The application rate does not exceed thirty thousand
- 29 gallons per acre per year.
- 30 (4) The application rate does not exceed one thousand five
- 31 hundred gallons per acre per day.
- 32 (5) The standards for land application are consistent
- 33 with the rules for land application of septage that implement
- 34 section 455B.172.
- 35 b. At a publicly owned treatment works or other wastewater

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- 1 treatment system with the permission of the owner of the
- 2 treatment works.
- 3 c. Through a subsurface absorption system in conformance
- 4 with applicable regulations of the United States environmental
- 5 protection agency.
- 6 d. Through a disposal system that meets all of the
- 7 following:
- 8 (1) The disposal system is located on the same site as the
- 9 on-farm processing operation.
- 10 (2) The disposal system is constructed in conformance with a
- ll permit issued by the department.
- 12 (3) For a disposal system that discharges wastewater to
- 13 a water of the United States, the system must be operated in
- 14 conformance with a national pollutant discharge elimination
- 15 system permit issued by the department under section 455B.197.
- 16 2. The department shall adopt by rule standards for the
- 17 disposal of septage from an on-farm processing operation.
- 18 The rules shall provide that the septage may be discharged
- 19 to a permitted septage lagoon or septage drying bed with the
- 20 permission of the owner of the septage system.
- 21 Sec. 3. Section 455B.197, Code 2011, is amended by adding
- 22 the following new subsection:
- NEW SUBSECTION. 5. The owner of an on-farm processing
- 24 operation that produces less than one thousand five hundred
- 25 gallons per day of wastewater shall not be assessed a fee by
- 26 the department under this section.
- 27 EXPLANATION
- This bill provides for on-farm processing operations
- 29 which manufacture products from commodities originating from
- 30 that farm or another farm such as a dairy, creamery, winery,
- 31 distillery, or cannery. The bill requires the department of
- 32 natural resources to adopt standards by rule for the disposal
- 33 of wastewater or septage from that operation. The standards
- 34 for disposal of wastewater must provide for disposal by land
- 35 application, at a wastewater treatment system, through a

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- 1 subsurface absorption system, or through a disposal system that
- 2 discharges into a public water. The department must also adopt
- 3 by rule standards for the disposal of septage to a septage
- 4 lagoon or septage drying bed.
- 5 The bill provides that the owner of an operation that
- 6 produces less than 1,500 gallons per day of wastewater is
- 7 not required to be assessed a fee for a national pollutant
- 8 discharge elimination system permit.